

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA,)
)
v.) No. 1:20-cr-038-TRM-CHS-2
)
BRANDY MOORE)

MEMORANDUM AND ORDER

BRANDY MOORE, (“Defendant”) appeared for a hearing on November 28, 2023, in accordance with Rules 5 and 32.1 of the Federal Rules of Criminal Procedure on the Petition for Warrant for an Offender Under Supervision (“Petition”) in the above matter.

Defendant was placed under oath and informed of her constitutional rights. It was determined that Defendant wished to be represented by an attorney and she qualified for appointed counsel. Federal Defender Services was appointed to represent Defendant. It was also determined that Defendant had been provided with and reviewed with counsel a copy of the Petition.

The Government moved that Defendant be detained without bail pending her revocation hearing before U.S. District Judge McDonough. Defendant waived her right to a preliminary hearing and requested a detention hearing, which was held.

Detention Hearing

At the November 28, 2023, detention hearing both parties presented their respective evidence, proffers, and arguments which were fully considered by the Court.

Findings

(1) Based upon the Petition and waiver of preliminary hearing, the Court finds there is probable cause to believe Defendant has committed violations of her condition of supervised release as alleged in the Petition.

(2) As addressed in detail during the extensive detention hearing and pursuant to Fed. R. Crim. P. 32.1(a)(6), the Court finds Defendant has not carried her burden to establish by clear and convincing evidence that she will not flee if released.

Accordingly, it is **ORDERED** that:

(1) Counsel for Defendant and the Government shall confer and make best efforts to submit to U.S. District Judge McDonough a proposed Agreed Order with respect to an appropriate disposition of the Petition for Warrant for Offender Under Supervision.

(2) In the event counsel are unable to reach agreement with respect to an appropriate disposition of the Petition for Warrant for Offender Under Supervision, they shall request a hearing before U.S. District Judge McDonough.

(3) The Government's motion that Defendant be **DETAINED WITHOUT BAIL** pending further order from this Court is **GRANTED**.

SO ORDERED.

ENTER.

s/ *Susan K. Lee*

SUSAN K. LEE
UNITED STATES MAGISTRATE JUDGE